

AMENDED IN SENATE MARCH 12, 2003

SENATE BILL

No. 99

Introduced by Senator Burton

January 29, 2003

An act to add ~~Section 10205.1~~ *Sections 10205.1 and 18900.1* to the Government Code, relating to ~~the Legislative Counsel Bureau~~ *state civil service*.

LEGISLATIVE COUNSEL'S DIGEST

SB 99, as amended, Burton. ~~Legislative Counsel Bureau:~~
~~broadband~~ *Information technology* classifications.

The

(1) *The* California Constitution establishes the State Personnel Board and sets forth the duties of the board, including prescribing classifications. Existing law authorizes the board to conduct, supervise, and evaluate demonstration projects to determine whether a specified change in personnel management policies and procedures would improve state personnel management. In 1998, the board and the Legislative Counsel Bureau agreed to conduct a demonstration project as to information technology classifications for employees of the bureau assigned to the Legislative Data Center, a division of the bureau.

This bill, notwithstanding other provisions of law, but consistent with the merit principles of Article VII of the California Constitution, would authorize the Legislative Counsel Bureau appointing authority to make certain classification changes, conduct examinations, and make appointments affecting employees assigned to the Legislative Data Center.

Specifically, the bill would authorize the bureau appointing authority to consolidate its data processing classes into the band classifications

and ranges that are administratively authorized under the demonstration project or into other classifications or ranges established by the State Personnel Board. The bill also would authorize the bureau appointing authority to conduct examinations and make appointments for information technology positions on a position-specific basis, as described in specified provisions of the California Code of Regulations in effect on January 1, 2003, or in any other manner approved by the board.

(2) *The State Civil Service Act requires the State Personnel Board to establish lists as a result of free competitive examinations open to persons who lawfully may be appointed to any position within the class for which examinations are held and who meet the minimum qualifications requisite to the performance of the duties of that position as prescribed by the specifications for the class or by board rule. The act also authorizes the board to limit the size of candidate groups in entry-level and nonpromotional examinations when doing so would be in the best interest of the state and effective competition can occur among a smaller number of applicants.*

This bill, in addition, would authorize the board to provide by rule for the testing, certification, and appointment of persons to fill information technology classifications on a competitive, position-by-position basis.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following *with respect to Section 2 of this act*:

3 (a) The State Personnel Board and the Legislative Counsel
4 Bureau entered into a demonstration project that was designed to
5 study alternatives to traditional methods of classifying,
6 examining, selecting, appointing, and promoting information
7 technology employees of the Legislative Counsel Bureau who are
8 assigned to the Legislative Data Center, a division of the
9 Legislative Counsel Bureau.

10 (b) The demonstration project addresses the need for a more
11 flexible classification structure in order to reflect the evolving
12 information technology profession.



(c) The alternative selection procedures that have been implemented as part of the demonstration project have improved the ability of the Legislative Counsel Bureau to match candidates and information technology jobs, at the same time resulting in an expedited selection process.

(d) Based on the success of the demonstration project, it is the intent of the Legislature to make permanent the alternative methods, as utilized in the demonstration project, of classifying, examining, selecting, appointing, and promoting information technology employees of the Legislative Counsel Bureau who are assigned to the Legislative Data Center.

SEC. 2. Section 10205.1 is added to the Government Code, to read:

10205.1. (a) Notwithstanding Sections 18523, 18900, 18901, 18930.5, 18933, 18936, 18938.5, 19050, 19052, 19054, 19054.1, 19057, 19057.1, 19057.2, 19057.4, 19081, and 19101, or any other provision of law, but consistent with the merit principles of Article VII of the California Constitution, the Legislative Counsel Bureau appointing authority may assign classifications and ranges, conduct examinations, and make appointments as specified by this section. The purpose of this section is to improve the management of the Legislative Data Center, a division of the Legislative Counsel Bureau, and to provide the Legislative Counsel Bureau with greater flexibility and adaptability reflective of the information technology profession.

(b) The Legislative Counsel Bureau appointing authority may consolidate the data processing classifications utilized by the bureau into the band classifications of information systems supervisor/manager, information technology specialist, and information technician, as available to the bureau on January 1, 2003, under the demonstration project described in Section 1 of the act that added this section, or into other ~~data-processing~~ *information technology* classifications established by the State Personnel Board. The Legislative Counsel Bureau appointing authority may divide each band classification into the ranges that existed in that classification on January 1, 2003, under that demonstration project, or into other ranges established by the State Personnel Board.

(c) The Legislative Counsel Bureau appointing authority shall reallocate any person employed by the bureau having civil service

1 status to the appropriate classification and range authorized
2 pursuant to this section and shall grant to that person the same civil
3 service status in that classification and range without further
4 examination.

5 (d) The Legislative Counsel Bureau appointing authority may
6 conduct examinations and make appointments for information
7 technology positions either in the manner described in Article 6
8 (commencing with Section 549.70) of Subchapter 4 of Chapter 1
9 of Division 1 of Title 2 of the California Code of Regulations in
10 effect on January 1, 2003, or in any other manner approved by the
11 State Personnel Board.

12 *SEC. 3. Section 18900.1 is added to the Government Code, to*
13 *read:*

14 *18900.1. The State Personnel Board may provide by rule for*
15 *the testing, certification, and appointment of persons to fill*
16 *positions in information technology classifications on a*
17 *competitive, position-by-position basis, in order to respond to the*
18 *rapidly changing technology, knowledge, and skills required in the*
19 *information technology field.*

